Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Review of	)	EB Docket No. 04-296
	)	
The Emergency Alert System	)	

EX PARTE

Re: Comments from the EAS-CAP Industry Group
On the Commission's
Fifth Report and Order

Adopted: January 9, 2012 **Released: January 10, 2012**

The undersigned members of the EAS-CAP Industry Group (ECIG) respectfully submit the following comments and recommendations pursuant to the above captioned proceeding. We specifically comment regarding on two key areas in the Fifth Report and Order: (a) the prohibition of text-to-speech on CAP receiving equipment[1], and (b) CAP-EAS equipment certification requirements[2].

ECIG's membership consists of manufacturers of both EAS equipment (both integrated and intermediary CAP EAS devices, in the FCC definition), as well as providers of CAP EAS origination and relay services, and other communications technologies. Our comments below represent a consensus on these key issues, taken from very diverse range of perspectives.

I. ECIG'S CONCERNS REGARDING THE PROHIBITION OF TEXT-TO-SPEECH CAPABILITY ON CAP EAS DEVICES.

Overall, we voice our appreciation for the efforts of the Commission in issuing its Fifth Report and Order. We particularly applaud the Commission's decision to adopt the ECIG Implementation Guide; however, in this ex parte presentation, we respectfully desire to bring to

[1] Fifth Report and Order, EB Docket No. 04-296, Paragraph 38 and Footnote 118, Paragraph 164 and Footnote 496, "As detailed in other sections of this order, we will not allow EAS Participants to use text-to-speech software configured in their EAS equipment to generate the audio portion of an EAS message...", and Appendix A, Final Rules, § 11.56 Obligation to Process CAP-Formatted EAS Messages (a)(2) Converting EAS alert messages... (except that any and all specifications set forth therein related to using text-to-speech technology and gubernatorial "must carry" shall not be followed)."
[2] Op. cit Paragraphs 70, 80, and 81

the attention of the Commission the very significant and potentially adverse implications that would result from the decision to disallow use of text-to-speech technology in CAP receiving devices.

We note concern with the prohibition of the use of text-to-speech conversion technology on CAP receiving devices. The action of disabling this capability on most CAP receiving devices should be relatively simple and should range from simply deselecting an option in the device menu to the download of a basic firmware update. Therefore, the impact on CAP receiving manufacturers should be minimal.

The impact on EAS Participants and EAS Originators, however, may be profound. A fundamental issue is that this prohibition of text-to-speech conversion would remove a key backup or redundancy capability that text-to-speech provides in case the audio file created by the EAS CAP Originator is missing, damaged or otherwise unusable.

We respectfully note that the ECIG Implementation Guidelines advised of the implications of this scenario should there be no audio file imbedded in a CAP message intended for EAS distribution, ***and*** text to speech conversion is also not present. The audio output of the device would only consist of the EAS header tones followed by the End of Message tones. There would be no aural (voice) component of the message.

This situation would have several palpable implications on EAS Participants and the general public:

- For broadcast radio, satellite radio, and other audio providers, the situation would potentially be even more grave. Without an audio file no voice element will be aired with the EAS message. Only the header tones, Attention Signal[3] and EOM tones will be heard by the listener. This would, of course, have a severe impact on the usefulness of the alert message for overall listening population. Listeners may know that there is an emergency situation because they may have heard the header tones, Attention Signal and EOM tones, but they will have no information about the nature of the emergency. The potential for widespread confusion and/or disregard for the EAS could be the result.
- For broadcast television, cable TV, IPTV, and satellite TV, the text component of the message could still be displayed, per Part 11 requirements, via crawl or slate; however,

[3] The Attention Signal might be suppressed if the alert has no audio component, leaving an alert that sounds like a Required Weekly Test to the public.

there would be no aural (voice) message. As with aural services, only the EAS header tones, Attention Signal and EOM tones will be heard.

- We strongly advise that, should the text to speech prohibition be retained, that further investigation by the Commission is warranted on the consequences for persons with disabilities or special needs. For example, the likely practical impact of the prohibition of text-to-speech on EAS devices would mean that visually impaired persons will likely not have access to aural information describing the nature of the emergency. According to the 2010 U.S census, approximately 3.4% of the U.S population (some 10.35 million individuals) experience a vision difficulty which may make them more reliant on the aural message than the visual (text) representation of the alert.[4]

The prohibition will also have a direct impact on the present and/or planned operations several CAP EAS Originators, including the FEMA IPAWS system itself. It had been ECIG's understanding – based on briefings from FEMA personnel as far back as 2009, that the IPAWS system would be dependent upon the use of text-to-speech translation technology at the distant CAP receiving device level. Similarly, the National Weather Service CAP feed relies on text to speech conversion at the EAS-CAP receiving device level. Apparently NWS may not necessarily and consistently create audio files for download construction of EAS protocol messages by these devices.

We also wish to bring to the Commission's attention that prohibiting use of text-to-speech in CAP receiving devices will likely present complications for both already-deployed and already-planned CAP state aggregator and distribution systems. At least three state-level systems – ranging from fully deployed to advanced pilot – are similarly centered around the required use of text-to-speech translation by CAP receiving devices.[5]

ECIG members also note objections to the prohibition of text to speech on CAP EAS devices by other stakeholders. For example, we have been informed that emergency management, public safety and the state broadcast associations in several states view that prohibition of text-to-speech

[4] Source: U.S. Census Bureau, 2010 American Community Survey, at http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_10_1YR_S1810&prodType=table
[5] In the case of Washington State, which is relaying XML CAP messaging via Internet with no audio file, the prohibition would prevent the formation of the voice portion of the message at EAS Participant sites.

construction of EAS messages as dangerously removing an essential backup capability for the audio portion of EAS messages in their state system. [6]

CAP dissemination systems that rely on text-to-speech may need significant alteration of their existing systems to create new capabilities at considerable expense in order to support the text to speech prohibition. This will likely create additional burdens on state and local agencies and their budgets that have not included such additional requirements.

We also make note of the likelihood of quantitatively larger bandwidth requirements for EAS Participants, EAS CAP originators, and the interconnecting IP relay networks because of the need to originate and transport both the CAP message and the accompanying audio file. This scenario may not have been anticipated (or supported) by some already-deployed state CAP systems. The members of ECIG respectfully ask the Commission to reconsider the text-to-speech prohibition, to allow usage of this critical backup capability (in event that an audio file is missing or damaged) and to ease the operational and cost burden of CAP EAS usage on the parts of both EAS Participants and CAP EAS originators. We, therefore, ask the Commission to amend its position in the Fifth Report and Order by removing the exception to the ECIG guidelines on text-to-speech".

II. ECIG'S OBSERVATIONS AND RECOMMENDATIONS REGARDING THE "STREAMLINED" CERTIFICATION PROCESS FOR CAP EAS DEVICES

The members of ECIG have reviewed the FCC's approach to a "streamlined" CAP EAS equipment certification process. As a matter of process, we note that the Commission's FCC recommendations on intermediary devices (such as in Section 4 "Discussion", paragraphs 170 and 171) were not explicitly incorporated into the Part 11 revisions in Appendix A of the Fifth Report and Order. Specifically, the FCC indicates in Section 4 that all intermediary devices should be certified and submit a Supplier's Declaration of Conformity (SDoC). Further, in paragraphs 170 and 171 the Commission signals its intentions for both universal and component intermediary devices to have both a Part 11 certification and to file an SDoC. We respectfully recommend that the Commission explicitly incorporate those changes into Appendix A of the Fifth Report and Order and the amended Part 11 rules.

[6] In the case of Michigan, which is disseminating messaging with audio via a satellite network, the prohibition is viewed as disabling a key reserve capability of remotely compiling the voice portion of the message in case the intended audio file is missing, corrupted or otherwise unusable.

The members of ECIG note our understanding that integrated CAP EAS devices are required to submit a class II permissive change filing, plus a copy of an SDoC. We note that such devices should readily be able to complete the streamlined process before the June 30th CAP deadline, provided they currently hold both a valid Part 11 certification and SDoC pertaining to the hardware/software configuration as tested.

The members of ECIG also note our understanding that intermediary devices (both component and universal) are subject to Part 11 certification and CAP conformance testing (or submission of an SDoC, if available). We ask for clarification as to whether Intermediary Devices should be subject to specific portions of EAS encoder, and to some extent EAS decoder, requirements under Part 11, rather than be subject to complete Part 11 sections as an EAS encoder. ECIG members feel that universal intermediary devices currently holding a valid SDoC have a reasonable possibility of meeting the Part 11 certification requirements by June 30, 2012, provided that the Part 11 testing regime is available at the earliest possible time.

In regard to component intermediary devices, ECIG members observed that the Commission's Fifth Report and Order directs that the combination of devices (both intermediary device plus legacy EAS device) must be resubmitted for Part 11 certification and CAP conformance testing (if an SDoC is not available for device combination, as tested). ECIG members generally concur that component intermediary devices holding a valid SDoC, tied to an EAS encoder with a valid Part 11 certification, have a reasonable possibility of meeting the streamlined certification requirements by June 30, 2012, again provided that the certification process is available at the earliest possible time.

ECIG assumes that the FCC would continue to rely on certified third-party test facilities (i.e. a Telecommunications Certification Body - TCB), to conduct both the Part 11 and CAP conformance portions of the streamlined certification process, as currently specified under Part 11 rules (referencing back to Part 2, Subpart J, "Equipment Authorization"). ECIG respectfully recommend the Commission use such third party facilities to enhance both the continuity and integrity of both the Part 11 and IPAWS conformity assessment components of the streamlined certification process. Further, the ECIG respectfully recommends that the Commission should not permit self-certification, or accept statements of self-certification, as meeting any of the criteria of the streamlined certification process.

ECIG respectfully urges the Commission to support the preparation, at the earliest opportunity, of facilities supporting the streamlined certification process. We acknowledge that, in significant

extent, this preparation relies on the issuance of CAP conformity test guidance by the FEMA. We express our hopes that FEMA will be able to issue that test guidance procedures and parameters at the earliest possible time, so that approved test facilities may begin preparation of their respective test support programs,

ECIG members strongly recommend that the Commission require submission of a vendor supplied SDoC, as well as a third party (IPAWS) CAP Conformance Test Report for integrated, universal intermediary and component intermediary devices.

We feel that incorporating the specific findings of the Test Report would be essential to the "streamlined" Part 11 process, which at a minimum would enable the Commission and the approved third-party test facilities to identify more readily that a product has the SDoC and correlated Test Report necessary for certification.

ECIG respectfully urges that the Commission safeguard that all initial or first-time equipment certifications under the streamlined process for both integrated and intermediary devices relate to the specific product combination (including hardware and software as specified) that was actually tested under the original Part 11 certification, and or the IPAWS Conformity Assessment program.

CONCLUSION

We again express our gratitude to the Commission for creating the framework for the next generation Emergency Alert System. The clear definition of these amended rules and consistent application of those rules will significantly enhance the prospects for success of this CAP EAS endeavor.

Respectfully,

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